

## Remarks

In response to the Advisory Action mail dated October 14, 2003, Applicant responds as follows:

The Examiner has indicated that the Request for Reconsideration has been considered but does NOT place the application in condition for allowance because Claim 39 remains rejected under 35 USC 112, 2<sup>ND</sup> paragraph since it was not canceled. Examiner further states, no arguments were even presented in the Reply filed September 8, 2003, as to why this rejection is considered improper.


In the Reply filed on September 4, 2003, Applicant did address Claim 39 under Remarks, Paragraph 4. Applicant indicated that the rejection of Claim 39 was derived from the rejection of Claim 37. As such, Applicant did not amend or cancel Claim 39. Claim 37, however, was reviewed and argument was presented.

**Conclusion**

Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present Application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the

Dated this 4<sup>th</sup> day of November, 2003.

Respectfully submitted,

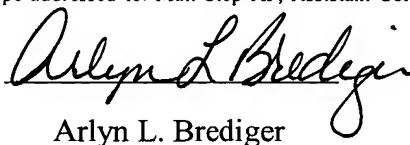


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**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in the envelope addressed to: Mail Stop AF, Assistant Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: Nov 4, 2003



Arlyn L. Brediger